

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

JOHN DOE,

Plaintiff,

v.

Case No. 19-CV-1348

BOARD OF REGENTS OF THE
UNIVERSITY OF WISCONSIN SYSTEM
ET AL,

Defendants.

DEFENDANTS' STATUS REPORT

On September 8, 2020, the court asked the parties to file a joint status report reporting on the status of the administrative proceedings against the plaintiff and whether those proceedings impact the plaintiff's claims or pending motions. (Dkt. 34:6.)

On September 24, 2020, counsel for the Defendants contact Plaintiff's counsel regarding this report. Defendants have not heard back, and therefore submit this status report providing the Defendant's position.

On September 26 and October 15, 2019, the University of Wisconsin-Oshkosh held a non-academic student misconduct hearing to hear the university's case against Plaintiff John Doe. On October 28, 2019, the hearing

examiner issued a decision finding the Plaintiff responsible for non-academic misconduct. On December 11, 2019, the Chancellor sustained the finding of responsible and sustained the sanctions of suspension and no-contact for two years. Doe did not appeal this determination to the Board of Regents or to Wisconsin Circuit Court.

On September 23, 2019, the Plaintiff filed in this court¹ a motion for a preliminary injunction seeking to enjoin the non-academic misconduct hearing. (Dkt. 16.) This motion can be denied as moot because the hearing occurred last year. On October 4, 2019, the Defendants moved to dismiss the complaint. This motion is outstanding and Defendants ask that it be decided. However, Defendants recognize that if the Plaintiff intends to file an amended complaint, the current motion to dismiss will become moot.

Dated: September 25, 2020.

Respectfully submitted,

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/s/ Anne Bensky
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s/Gesina S. Carson
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¹ The Plaintiff initiated the case in state court and the Defendants removed it to federal court.

Attorneys for Defendants

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